This Issue of the A. F. of L. Weekly News Service Consists of 2 Pages

The A. F. of L. Weekly News Service gives news accounts and editorial interpretations of matters affecting labor occurring in the industrial, legislative, and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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Every man is a consumer and ought to be a producer.—Ralph Waldo Emerson.

WHOLE NO. 1444 | WILLIAM GREEN, President | WASHINGTON, D. C., SATURDAY, DECEMBER 17, 1938 | FRANK MORRISON, Secretary-Treasurer | VOL. 28, NO. 51

Collective Bargaining Is Real Basis For Industrial Peace, Green Declares

Supports Principles of National Labor Relations Act in Address to Chicago Economic Club, But Holds It Must Be Amended to Prevent Further Maladministration by the Labor Board; Calls On Congress to Curb Powers of Federal Administrative Agencies.

By A. F. of L. Weekly News Service.

Chicago, Ill., Dec. 15.—William Green, president of the American Federation of Labor, disclosed to the people of the United States tonight a broad and constructive plan for the establishment of industrial peace on the basis of human, cooperative relationships.

Mr. Green presented his program in an address to the officers and members of the Economic Club of Chicago and guests at the Palmer House, which was broadcast over the National Broadcasting Company's network.

Autocratic domination of industry by employers has long since been repudiated as part of our national policy, Mr. Green said.

The last election, he added, also removed from our national policy the "false and treacherous philosophy" of certain self-constituted labor leaders not functioning under the banner of the American Federation of Labor which sanctioned disregard of contractual obligations, sit-down strikes, mutiny on the high seas, destruction of private property or even the capture of cities.

Opposes Compulsory Methods

In place of these unworkable policies of force and compulsion, Mr. Green called for the establishment of a new order of labor-industrial relationships based on the National Labor Relations Act. Management, he urged, should deal with workers organized into free, independent and democratic trade unions as a collective partner. Through collective bargaining, he said, contracts covering wages and hours should be negotiated and adhered to by both sides. He added:

"What are the realities of the situation which industrial management must face? Shall it be class warfare and the domination of human relations in industry by management alone at any cost? Or shall it be frank and open dealing between employers and employes, embracing joint action in dealing with common problems; cooperation to establish and maintain industrial stability in the enterprise through

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RAILWAY BALLOT WON BY A. F. L. RAIL CLERKS

Washington, D. C. (AFLWNS).—The Brotherhood of Railway and Steamship Clerks, Freight Handlers, and Express Station Employes, affiliated with the American Federation of Labor, has been certified by the National Mediation Board, acting under the Railway Labor Act, to represent all the clerical, office, station and storehouse employes of the Richmond, Fredericksburg and Potomac Railroad Company and the Richmond Terminal Company.

The National Mediation Board made the certification following a secret ballot for one group and a check of authorizations for a second group in which the A. F. of L. Railway and Steamship Clerks Brotherhood received a majority of the ballots.

A. F. of L. Distillery Workers Conference Opens in Louisville

Dillon Says Meeting Called by Direction of President Green Seeks to Establish a "Progressive and Outstanding Labor Relations Policy" for the Distilling Industry.

By A. F. of L. Weekly News Service.

Louisville, Ky., Dec. 15.—The First National Conference of Distillery and Rectifying Workers opened in the main auditorium of the Kentucky Hotel here today.

The official call for the conference, addressed to the officers and members of all federal labor unions affiliated with the American Federation of Labor embracing production workers in the distilling and rectifying industry, was sent out from the Toledo office of the A. F. of L. by F. J. Dillon, in charge of organization work in the distillery industry, by direction of William Green, president of the American Federation of Labor.

In commenting upon responses from local distillery workers unions Mr. Dillon said:

"The official call convening the First National Conference of Distillery & Rectifying Workers was forwarded to approximately 50 local unions which have been organized and chartered by the American Federation of Labor since the repeal of prohibition. The response thus far is most gratifying and indications are that virtually every local union will be represented in the deliberations of this important conference."

"The deliberations and conclusions of this conference," Mr. Dillon continued, "will have to do with an industry which is luxurious in character and to a very marked degree operating upon proba-

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LABOR BOARD RULE HITS A. F. OF L. AD. WRITERS

Ballot Ordered For Seattle Post-Intelligencer Refuses to Recognize Them As Bargaining Unit.

Seattle, Wash. (AFLWNS).—An evident determination on the part of the National Labor Relations Board to refuse to recognize classified and display advertisement writing as a definite craft and to merge those who follow this skilled labor calling into a larger group of heterogeneous employes where the knowledge and advantage of special skill is lost in negotiating agreements with employers was revealed in the action of the National Labor Relations Board in its order for a ballot among the editorial, business department and outside telephone employes of the Seattle Post-Intelligencer Department of Hearst Publications, Inc., to determine whether they desire to be represented by Seattle Newspaper Guild, Local No. 82, affiliated with the C. I. O.

The Classified and Display Advertising Writers and Workers Union No. 20721, affiliated with the American Fed-

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Michigan State Federation of Labor Plans Big Golden Jubilee Celebration on Feb. 14

President Green to Deliver Address; Exhibit of U. S. Labor Department Will Be Displayed.

By A. F. of L. Weekly News Service.

Lansing, Mich.—The call for the fiftieth annual convention of the Michigan State Federation of Labor to meet at the Book-Cadiallac Hotel in Detroit on February 14, 1939, has been issued by the officials of the Federation.

The speakers who will address the Golden Jubilee of the State labor organization include William Green, president of the American Federation of Labor, who will make clear to the people of the Wolverine State the position of the American Federation of Labor on many issues.

In his letter of invitation to Mr. Green, John Reid, secretary of the State Federation of Labor, said:

"The members of the American Federation of Labor in Michigan are anxious to make this fiftieth annual convention an outstanding event in the Labor history of this State and we are especially anxious to have you with us on this momentous occasion to deliver an address to the convention. The AFL has made considerable progress in the last two years despite many obstacles that had to be overcome, and your presence at the convention to deliver a talk would give tremendous impetus to continue the progress we have been making recently."

Word was received at the office of the State Federation of Labor that the Department of Labor in Washington through V. A. Zimmer, Director of the Division of Labor Standards, that the Department would furnish an exhibit for display at the Book-Cadillac Hotel during the sessions of the convention, depicting "the work of the Federal Department of Labor and the progress made in raising labor standards.

Membership in the Michigan State Federation of Labor, Mr. Reid revealed, has increased greatly in the last few years. He predicted that when the convention opens on February 14 it will be at its peak in both membership and affiliated unions.

COAL MINERS SUFFER MANY FATAL ACCIDENTS

International Labor Office Report Reveals That Fatalities Are Much Higher Than in Manufacturing Industries.

By A. F. of L. Weekly News Service.

Geneva, Switzerland.—Comparing the number of fatal accidents in coal mines with the number in manufacturing industries, an International Labor Office report on "Accident Risks in Coal Mines" discloses that, in 1935, the latest year for which complete figures are available, coal mine fatalities were twenty times higher in Japan, twelve times higher in India, seven times higher in the United States, three times higher in Germany, and twice as high in Czechoslovakia.

The report, which was submitted to the ILO Commitee on Safety in Mines that met in Geneva recently to draft model safety regulations for the coal-mining industry, warns that allowance must be made in interpreting these figures "for difficulties arising from possible lack of comparability." Nevertheless, it found it clear that, compared with the manufacturing industries, "coal-mining is subject to a higher degree of hazard."

Falls of rock or coal were the chief cause of fatal accidents in coal mines, the report reveals. In the United States they accounted for more than half the total of fatalities in 1935. Haulage accidents came next; then explosives, and fire-damp or coal-dust explosions.

The number of non-fatal accidents in coal mines, the report shows, also exceeds the number in manufacturing industries. Thus, in 1935, non-fatal coal mine accidents were eleven times higher in Japan, four times higher in the United States, more than twice as high in the Netherlands and almost twice as high in Germany.

Ornburn Urges Christmas Shopping For Goods Carrying Union Label

By A. F. of L. Weekly News Service.

Washington, D. C.—I. M. Ornburn, secretary-treasurer of the Union Label Trades Department of the American Federation of Labor, declared in a radio address over the Columbia Broadcasting System's network that the campaign inaugurated by the Department among holiday shoppers for the purpose of urging them to buy only American-made and union-made gifts for Christmas is an "important subject which concerns the well-being of all American citizens and especially American workers and American industry."

Giving one hundred per cent endorsement to the "concerted campaign now in progress to boycott the products of Nazi Germany and Fascist Japan," Mr. Ornburn said "the American Federation of Labor has approved this campaign and is urging American consumers to carry on these economic boycotts as a protest against the unparalleled persecution of Jews in Germany and the atrocious bombing of innocent civilians in China by Japanese."

Ban on Foreign-Made Goods Urged

"If Americans would buy only American-made goods," he added, "it would be the most effective way to curtail the financing of dictatorships in all parts of the world, and it would give American mothers and fathers the greatest assurance that their sons will not be drafted into foreign service to settle the controversial problems in the rest of the world.

"In addition to the disastrous, economic effect of foreign-made products on American industry, they are often dangerous to the health of the purchaser."

Stressing the low wages and long hours which foreign manufacturers impose upon their employes, Mr. Ornburn continued:

"If you want to know the reasons why you are paying high taxes for relief and why it is necessary to make so many contributions to charitable institutions you will find the answer in the importation of foreign-made industrial and agricultural products which have been flooding this country during the past decade.

Union-Made Goods Protect High Labor Standards

"A more positive campaign can be carried on by American consumers through buying union-made products.

"The union label is the best guarantee

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GORMAN CALLS TEXTILE WORKERS CONVENTION

Says Rhode Island Court Decision Ended All Ties With C. I. O.; Orders Secretary-Treasurer to Transfer Union Property From New York to Washington.

By A. F. of L. Weekly News Service.

Washington, D. C.—Francis J. Gorman, president of the United Textile Workers of America, announced that he had sent letters "to the 700 local unions of the U. T. W. laying the groundwork for an early convention of the union under the constitution." He warned all local unions that the C. I. O. Textile Workers Organizing Committee "no longer governs them and that the United Textile Workers constitution henceforth must govern their conduct and their organizational activities."

Mr. Gorman declared that the situation in the textile union field had been brought to a crisis demanding immediate action by the decision of the Superior Court in Providence, R. I., which ruled the contract between the U. T. W. and the C. I. O. was invalid and or-

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(From December 12 issue of A. F. of L. Weekly News Service Supplement)

Chicago A. F. L. Unions Refuse to Join C. I. O. Strike Against the Hearst Papers

Agreements of Printing Trades Unions With American and Herald-Examiner Will be Faithfully Observed, They Declare; Controversy Which C. I. O. Newspaper Guild Used as Basis for Walkout Is Before the National Labor Relations Board Where It Has Been Delayed by C. I. O. Maneuvers.

Chicago, Ill.—The straight-from-the-shoulder facts regarding the strike pulled by the Chicago Local of the American Newspaper Guild, affiliated with John L. Lewis's secessionist and dual C. I. O., against the Chicago American and the Chicago Herald-Examiner, Hearst evening and morning papers, were pointedly uncovered in a statement, over Station WCFL, "concerning the attempt of the C. I. O. Newspaper Guild to involve the members of the American Federation of Labor in a strike against the Hearst newspapers," prepared jointly by President John Fitzpatrick and Secretary Joseph D. Keenan of the Chicago Federation of Labor, President R. G. Soderstrom and Secretary Victor A. Olander of the Illinois State Federation of Labor, and Organizer William Schoenberg of the American Federation of Labor.

"The American Federation of Labor unions, representing the vast majority of the workers in the Hearst plants and the other big Chicago dailies," the statement said, "will not permit themselves to be manipulated into any alleged strike against the Hearst papers or any one else by a few blundering C. I. O. agitators.

A. F. OF L. UNIONS WILL OBSERVE AGREEMENTS

"The printing trades unions in the newspaper field here are working under trade union agreements with the Newspaper Publishers Association, covering the Hearst plants and the other big newspapers of the city. These unions will carry out those contracts regardless of any C. I. O. manipulators.

"The American Federation of Labor, the Chicago Federation of Labor and the Illinois State Federation of Labor will give full support to those unions and also to the Newspaper Commercial Associates of Chicago, consisting of A. F. of L. members in the commercial, advertising and business administration departments of the plants, and to the Editorial Association, consisting of A. F. of L. members among the reporters and editorial writers.

FACTS ABOUT THE STRIKE

"No members of the American Federation of Labor are involved in the alleged strike, which is basically a fight of the C. I. O. Guild against the regular trade unions and in defiance of the National Labor Relations Board. The facts in this respect are of interest to the general public as well as to the trade union members.

"Something more than six months ago the Chicago C. I. O. Newspaper Guild made application to the National Labor Relations Board for collective

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FIRM ORDERED TO STOP OPPOSING A. F. L. UNION

Shelbyville, Ind. (AFLWNS).—Last May, Local 1617, United Brotherhood of Carpenters of America, affiliated with the American Federation of Labor, filed charges against the Gerling Furniture Manufacturing Company, Inc., of Shelbyville, with the National Labor Relations Board under the unfair labor practices section of the National Labor Relations Act.

Following consideration of the charges, the Labor Board announces the issuance of a stipulation and order requiring the Gerling Company "to stop discouraging membership" in the A. F. of L. union "or any other labor organization, and immediately to reinstate 10 employes to their former positions without prejudice to seniority or any other rights and privileges previously enjoyed by them."

Referendum Is Used to Elect Officers Of Illinois State Federation of Labor

By A. F. of L. Weekly News Service.

Chicago, Ill.—The Illinois State Federation of Labor for a number of years has used the referendum system for electing its officers for a two-year period. According to labor leaders, the referendum plan works satisfactorily and gives every member of all local unions affiliated with the State body an opportunity to vote direct for the Federation officials.

This year the referendum vote is taken between December 1 and December 31, return sheets to be mailed to the head office in Chicago not later than January 7, 1939. The election is for the two year term beginning Auril 1, 1939.

Reuben G. Soderstrom, a member of Typographical Union No. 328, Streator, has no opposition on the ballot for re-election to the office of president. Victor A. Olander, of the Sailors' Union, Chicago, has no opposition for reelection to the office of secretary-treasurer.

The names of 15 candidates for vice presidents appear on the ballot, with the instruction to "vote for nine only." There are six candidates for the Credential Committee of three members, and three candidates for tellers; inasmuch as there are only three tellers to be elected, the three candidates are evidently sure of landing the office.

The finances of the State Federation of Labor appear to be in good condition. The statement for July, 1938 (the latest available), lists $8,240.12 receipts for the month and $4,442.83 disbursements.

AFL UNION LABEL IS NOW ON DRIED FRUIT AND NUTS

Imprint of Unit of Union Having Agreements With Fourteen California Packers Guarantees That Workers Enjoy Union Hours, Wages and Work Conditions.

By A. F. of L. Weekly News Service.

A new American Federation of Labor union label has been granted to the Dried Fruit and Nut Packers Union No. 21084 of the Santa Clara Valley, California. It is the first union label to be authorized for the dried fruit and nut industry in the Eldorado State.

The importance of the new label is emphasized by Edward D. Vandeleur, secretary of the California State Federation of Labor, who, in a letter to all California, national and international, and federal labor unions affiliated with the A. F. of L., said:

"For the first time in history members of organized labor may now buy fruit and nut products in containers or packages prepared by members of the American Federation of Labor and bearing a union label authorized by the American Federation of Labor."

The Union Label of the Dried Fruit

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A. F. OF L. WIREMEN NOT ON POSTAL BALLOT

Commercial Telegraphers Head Says C. I. O. Union Menaces Postal Telegraph Company.

By A. F. of L. Weekly News Service.

Washington, D. C.—In compliance with the request of Frank Powers, president of the Commercial Telegraphers Union, an affiliate of the American Federation of Labor, the National Labor Relations Board announced that it had removed the name of the union from the ballot in the forthcoming nation-wide election ordered by the NLRB, among employes of the Postal Telegraph Company to determine a collective bargaining agency. The result of this action is that the name of the C. I. O. American Communications Association is the only name that will appear on the ballot.

Mr. Powers told the Board that the Commercial Telegraphers Union has in its possession membership applications of a majority of Postal Telegraph Company employes in 45 cities designating the Commercial Telegraphers Union to act for them, and emphasized the fact that there is no evidence whatsoever that the employes in any of these cities favor repudiating the C. T. U. by designating the C. I. O. American Communications Association to act for them.

Postal's Financial Difficulties Stressed

"It is my understanding," Mr. Powers said, "that the Postal Telegraph Company is closer to the brink of liquidation than it ever has been before. The company has been in the process of reorganization proceedings under the Federal Bankruptcy Act since 1935, and the records in that case will show the company is bankrupt with slim possibility of becoming solvent.

"Activities of A. C. A., which is Communist through and through, have brought almost total strangulation of the Postal Company system. If Postal is forced into liquidation, some 15,000 employes will be thrown out into the street. They are the ones who will suf-

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AFL TRUCK UNION WINS 5-DAY STRIKE IN N. Y.

Platform Men and Checkers at Long Distance Freight Terminals Secure Higher Wages and 8-Hour Day.

By A. F. of L. Weekly News Service.

New York, N. Y.—The strike called by the Motor Bus and Terminal Checkers, Platform and Office Workers Local No. 21510, affiliated with the American Federation of Labor, demanding higher wages and shorter hours for platform men and checkers employed at long distance freight terminals in New York City and vicinity, which was supported by the sympathy walk-out of 2,000 out-of-town truck drivers and resulted in a virtual stoppage of long distance trucking to and from New York City, was settled as a result of intervention by Mayor La Guardia and the State Mediation Board.

The agreement which effected the settlement runs for 21 months, until September 1, 1940. It provides for a wage scale for the platform men of $5.50 a day for the first 10½ months and $6.50 a day for the rest of the period. It also includes a provision for an 8-hour day and arrangements covering payment for certain holidays.

The original demand of the union was for a scale of $6.50 a day for a 40-hour week, as compared with $4.50 paid under the previous contract. The employer originally had offered a pay increase of 16 2/3 per cent.

The settlement was agreed upon at a conference of representatives of both sides at the office of the Mediation Board, called after Mayor La Guardia had conferred at the City Hall with officials of the striking union and of Local 807 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, some of whose members had been engaged in a "rank-and-file" sympathy strike in support of the platform men and checkers.

There were two conferences at the City Hall, one of which was attended by Joseph P. Ryan, president of the International Longshoremen's Association, and George Meany, president of the New York State Federation of Labor.

In addition to Mr. Ryan and Mr. Meany, Mayor La Guardia conferred with Cornelius Noonan, president, and Thomas Gleason, secretary-treasurer, of Local 21510; Mr. Devery and William Hickey, secretary of Local 807 of the Teamsters Brotherhood, who disclaimed any responsibility for the sympathy strike of certain members of the local, and William Collins, New York representative of the American Federation of Labor.

MICHIGAN P. O. CLERKS BOOM THE UNION LABEL

Six Million Dollars Purchasing Power Mobilized For Articles Made and Services Performed by Members of A. F. of L. Unions.

By A. F. of L. Weekly News Service.

The officials of the Michigan Federation of Post Office Clerks, a branch of the National Federation of Post Office Clerks, affiliated with the American Federation of Labor, are performing creditable service for the labor movement in general in mobilizing their members for the purchase of union label goods and union conducted services.

The recent convention of the Michigan Federation adopted unanimously a resolution "urging our affiliated locals to set up a union label committee in each post office" to forward a "campaign of education among our members to the end that the nearly $6,000,000 spent yearly by post office employes of Michigan be diverted to those products and those services represented by the union label."

In conformity with this resolution, Stephen W. Ankenbrad, secretary of the Michigan Post Office Clerks, recently notified all locals of the action of the convention and urged that the union label program be immediately applied.

The action of the Michigan Federation of Post Office Clerks has been strongly commended by I. M. Ornburn, secretary-treasurer of the Union Label Trades Department of the American Federation of Labor.

Supreme Court Overrules Labor Board in Sit-Down Strike Case

Refuses to Review Decision of Fifth Circuit Court of Appeals Outlawing Board's Order Requiring Steamship Company to Reinstate With Full Pay Members of C. I. O. Seamen's Union Discharged After Tie-Up in Florida.

By A. F. of L. Weekly News Service.

Washington, D. C.—The determination of the National Labor Relations Board to force a steamship company to reinstate with back pay C. I. O. seamen who were discharged following sit-down strikes which prevented the masters of two vessels from exercising their legal control over the ships was halted by the Supreme Court of the United States.

This outstanding position of the Supreme Court resulted from its refusal to grant a petition of the National Labor Relations Board for a review of the Board's case against the Peninsular and Occidental Steamship Company charging violation of the National Labor Relations Act. The Supreme Court upheld the decision of the United States Circuit Court of Appeals for the Fifth Circuit which found the C. I. O. sit-down strikers guilty of mutiny, condemned the National Labor Relations Board for disregarding proper evidence, and set aside as illegal the Board's order in its entirety.

The action of the Supreme Court of the United States in refusing to review the decision of the Court of Appeals for the Fifth Circuit undoubtedly placed a definite quietus on the pronounced sympathy for the sit-down strike frequently manifested by the National Labor Relations Board, and, at the same time, emphatically warned the rebel and secessionist C. I. O. and its communistic affiliate, the C. I. O. seamen's union, that the sit-down strike, condemned by the American Federation of Labor, is illegal and will not be tolerated in the American Merchant Marine.

Two Ships Tied Up

The case in which the Supreme Court refused to review the decision of the Circuit Court of Appeals grew out of sit-down strikes on the Cuba and Florida, two vessels owned and operated by the Peninsular and Occidental Steamship Company.

Due to systematized agitation fostered by the waterfront section of the Communist party the crews of these vessels were prevailed upon to engage in sit-down strikes.

The first sit-down strike on the Florida, at Miami, on June 4, 1937, occurred a few minutes before the ship was ready to sail. Members of the crew who participated in a sit-down strike on the Cuba at Port Tampa on June 6, 1937, seized the galley and would not permit any food to be prepared and served except to men on strike.

In addition the strikers refused to permit the lighting plant and pumps to be operated so as to provide lights and sanitary facilities.

These sit-down disputes were settled when the strikers withdrew their de-

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Human Rights League Will Protect Democracy and Freedom, Says Woll

All Americans Should Unite in Movement Against Destructive Forces Rooted in Nazi Persecution in Germany, He Declares; Communism, Fascism and Nazi-ism Threaten Principles of U. S. Constitution.

By A. F. of L. Weekly News Service.

Washington, D. C.—Urging that all Americans should unite in a campaign of opposition to the forces hostile to democracy, which have grown out of the Nazi oppression in Germany, Matthew Woll, third vice president of the American Federation of Labor, made public a statement outlining the purposes of the organization formed under his leadership for defense against autocratic oppression and destruction of human rights, not only in the United States but also in foreign countries.

Pointing out that his organization, including men and women from all walks of life, has been named "The League for Human Rights, Freedom and Democracy," Mr. Woll said "it isn't the type of name customary today, with a short name, susceptible of alphabetical alliteration, but it is truly descriptive of our purpose, which it should be."

Autocracy Opposed

The formal declaration of purposes of the new organization, announced by Mr. Woll, is as follows:

"Believing in the defense and perpetuation of those basic principles of human rights upon which all freedom rests and having in mind the menace to that freedom now abroad in the world, we proclaim the League for Human Rights, Freedom and Democracy as an agency created to support freedom and democracy and to oppose every attempt to promote autocracy or to deny human rights as well as constitutional and statute rights to any person or persons.

Human Rights Defended

"These rights are being challenged throughout the world. It is our purpose to meet that challenge everywhere. Especially we hope, by the protection of human rights, freedom and democracy in the United States, to give hope and encouragement to oppressed peoples and to those whose rights and liberties are in jeopardy in foreign nations.

"In great portions of the world today political power is being used as an instrumentality for the destruction of human rights—rights of persons belonging to racial, political and religious

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NEW CHARTERS ISSUED BY DRAFTSMEN'S UNION

Washington, D. C. (AFLWNS).—C. L. Rosemund, president of the International Federation of Technical Engineers', Architects' and Draftsmen's Union, with headquarters here, reports that during the past month charters have been issued to the draftsmen and engineers at Yakima, Washington, who are principally employed by the Highway Construction Department of the State, and to similar employes of Bedford, Indiana, who are identified with the stone industry.

"Correspondence exchanged between these groups and the general office of the International Union," Mr. Rosemund said, "indicates that notwithstanding the conservative and individualistic viewpoint of these employes they are awakening to the fact that the complex and interdependent social and economic order of today has curtailed their opportunities for progress as individuals 'going it alone.' As circumstances drive these facts home, more and more the engineering groups are turning to the organized labor movement as their sole hope of protection."

Union Label Printing Will Be Used By National Committee For President's Birthday Celebration

By A. F. of L. Weekly News Service.

Washington, D. C.—John B. Haggerty, president of the International Allied Printing Trades Association, announced that as a result of conferences with Keith Morgan, chairman of the National Committee for the Celebration of the President's Birthday, the proceeds of which will be devoted to the eradication of infantile paralysis, all matter issued by the committee to which the Allied Printing Trades Label applies will bear that insignia.

Pointing out that this arrangement means several hundred thousand dollars worth of printing for offices having agreements with the A. F. of L. unions, Mr. Haggerty said that "a conference with Mr. Morgan found him eager to get our advice as to the union label, in order that there may be no criticism of the printing done for the committee."

"Of course the labor division of the National Committee under the chairmanship of William Green, president of the American Federation of Labor," Mr. Haggerty continued, "is observing the proper union labels as has been the custom in former years. The Labor Division alone will require a large amount of printing, all of which will benefit union shops.

"However, the important feature is that we are advising the main headquarters in New York, where it would be easy to allow a job to go wrong through carelessness or neglect on the part of a subordinate, to be on the alert.

"With the present arrangement satisfactory as it is, we may look for a complete union campaign.

"Our first achievement was to straighten out an order for 5,000,000 lapel buttons, in cooperation with Mr. Morgan.

"I am sure this announcement will be of interest to the printing trades workers."

LABOR BOARD CERTIFIES AFL WALL PAPER UNION

NLRB Member Edwin S. Smith Undertakes to Prevent Recognition of the American Federation of Labor Craft Unit.

By A. F. of L. Weekly News Service.

Washington, D. C.—Following undisputed evidence that a comparison of the membership list of the United Wall Paper Craftsmen and Workers of North America, affiliated with the American Federation of Labor, included a majority of the color mixers and machine printers employed by the Kimberly-Clark Corporation, Appleton, Wisconsin, the National Labor Relations Board in a two-to-one decision certified the A. F. of L. affiliate as the exclusive bargaining representative for those employes.

At the same time, also on a membership list basis, the Board certified Wall Paper Workers Union of Fox River Valley, an unaffiliated group, as exclusive collective bargaining agency for the hourly paid employes of the company, exclusive of color mixers and machine printers.

In conformity with his policy of attempting to destroy the bargaining power and even the existence of craft unions affiliated with the American Federation of Labor, Board member Edwin S. Smith, in a dissenting opinion, declared that the United Wall Paper Craftsmen and Workers of North America, the A. F. of L. affiliate, should receive no consideration whatsoever and

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Collective Bargaining Is Real Basis For Industrial Peace, Green Declares

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collective bargaining and the mutual recognition of the rights of all concerned, and cooperation to protect the enjoyment of the fruits of their own industry and their common interests in relation to the public authority?"

Says Labor Board Has Usurped Power

Mr. Green said the American Federation of Labor will offer amendments to the National Labor Relations Act to cure mal-administration by the National Labor Relations Board. He accused the Board of denying due process of law, of usurping judicial functions, of exhibiting bias and prejudice in decisions and of discriminating between persons and parties according to "their own peculiar brand of political and economic philosophy which apparently they substituted for the plain provisions of the Act."

Besides urging enactment of amendments providing for checks and balances to insure the application of the principles of fair play, Mr. Green declared the Federation will stand for the appointment to the Board only of men whose background and views give assurance that whichever way decisions are rendered "a true day in court" will be had by each litigant.

Finally, Mr. Green called upon Congress to lay down the rules under which the NLRB and other Federal administrative boards must operate. Government bureaus in the industrial field, he charged, have exercised an "undue restraining influence upon those who engaged in business" and have created a feeling of uncertainty which has made industry reluctant to risk new ventures or to expand.

"Such a psychological condition," Mr. Green concluded, "should have no place in our national economy. The rules of government regulation should be clear, definite and understandable. All should understand that no new rules or stipulations will be promulgated by some administrative bureau other than those definitely set forth in regulatory statutes enacted by the Congress of the United States. In this way also will be assured to Labor, to Capital and to all citizens alike, freedom of action within the sphere of democracy which is the foundation of our national well-being and our national destiny."

Human Rights League Will Protect Democracy and Freedom, Says Woll

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minorities. This heinous practice strikes at the very root of all freedom, and we shall mobilize our full power against its continuance or extension and to give encouragement and support to its victims.

U. S. Constitution Upheld

"Our faith is expressed in the Constitution of the United States and the Bill of Rights contained therein. We shall express that faith in action and we shall defend the principles there expounded from all attack, whether at home or abroad. Specifically included in the threats to this faith we feel it imperative to name those forms of autocracy known as communism, fascism and nazi-ism. To those we are implacably opposed, to the one as vigorously as to the others. Democracy can make no compromise with autocracy.

"Upon the basis of this declaration of faith and purpose we go before the American people, asking unity of all forces of like mind and asking generous support in this battle to safeguard human rights, freedom and democracy."

Ornburn Urges Christmas Shopping For Goods Carrying Union Label

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that products are made in America because it is a symbol which assures the purchaser that the products are made in some American industry by American workers who receive decent wages; work shorter hours; and under the most favorable standards that have ever been established in the world.

"Thus, while we continually urge the boycott of foreign-made products, we suggest that the public ask for and buy those practical gifts for Christmas that are made under American labor conditions. In this manner we can obtain both negative and positive economic actions.

Union-Label Christmas Gifts Provide Work for Jobless

"What would be more appropriate than to dedicate the holiday shopping season this year to the great cause of the Union Label?

"It would be most appropriate because by urging Christmas shoppers to buy only Union-made gifts they are also buying goods that are made in our own factories.

"In addition, this indirect boycott of foreign-made goods will create more jobs for our own citizens.

"If all Christmas presents that will be purchased in 1938 were made in America, employment would be increased and likewise taxation for relief purposes would be reduced to a minimum.

"When you see the Union Label on any product it is a message that the workers of the factory in which the goods are made that they were manufactured under humane conditions by men and women who work for decent wages.

"It is the best guarantee that the product is not made by child labor.

"It is an assurance that fathers and mothers earn enough to support their children, educate them, and also allow them to enjoy fresh air and sunshine instead of slaving in sweatshops.

"It is insurance for healthy and useful American citizens."

Chicago A. F. L. Unions Refuse to Join C. I. O. Strike Against the Hearst Papers

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bargaining rights in such manner as to indicate an encroachment upon the American Federation of Labor and its affiliated unions. The American Federation of Labor, the Chicago Federation of Labor and the Illinois State Federation of Labor, and some twenty affiliated A. F. of L. unions, intervened.

C. I. O. DELAYS BALLOT

"The Guild was asking that a vote be taken under the auspices of the Board to determine what representation was desired by the workers. The American Federation of Labor representatives and their associates agreed to have a vote taken in the various divisions except the production departments where the printing trades union had been established over a long period of years.

"Large numbers of workers in the commercial, advertising and circulation departments then applied for and received a charter from the American Federation of Labor. It was clear that any vote taken would result in favor of the A. F. of L.

"The C. I. O. commenced a series of maneuvers intended to delay the whole proceeding and succeeded to such an extent that about seven months have elapsed since the hearings were initiated before the Labor Board.

"During this time the Guild representatives carried on a propaganda campaign intended to discourage the A. F. of L. membership.

"The American Federation of Labor adhered to its original agreement to await a vote in accord with the National Labor Relations Act under the auspices of the National Labor Relations Board.

"Regardless of the fact that this was what the Guild itself had asked for, and the further fact that it and it alone is responsible for the delay in the proceedings before the Board, the Guild officials now resort to strike action in a last desperate attempt to rehabilitate themselves for the blunders they have been committing in the past seven months. In an effort to save their own faces they are apparently willing to throw out on the streets not only the relatively few who have blindly followed their leadership but also great numbers of workers who have no allegiance with nor sympathy for the C. I. O.

REFUSE TO RECOGNIZE C. I. O. GUILD

"In anticipation of this rash action, the representatives of the regular printing trades unions met last Friday and authorized us to issue a statement whenever we considered it necessary to the effect that none of the printing trades unions would give any recognition to the so-called Guild, nor would they permit themselves to be involved in any violation of their agreements with the publishers. Any statement to the contrary which may emanate from Guild circles or anywhere else is untrue.

"The claim that there have been or are about to be conferences between the C. I. O. and representatives of the A. F. of L. unions is equally untrue.

"The American Federation of Labor and its affiliated organizations are not involved in any strike against the Hearst newspapers nor any other papers published in Chicago. Any statement to the contrary is false. The American Federation of Labor, the Chicago Federation of Labor and the Illinois State Federation of Labor will continue to stand firm in defense of the rights and interests of their affiliated memberships.

"We have waited without complaint for more than a half year, for the conclusion of the case which the C. I. O. itself brought to the National Labor Relations Board. And, so far as we are concerned, we will continue to wait until the proper procedure is carried out under the law.

"We shall advise our members to continue to maintain the integrity and good name of the various affiliated organizations by scrupulously adhering to the trade union agreements which have been of long standing in the newspaper field, and to extend these agreements to give protection to such of the relatively few workers who are not already within their protective scope under the banner of the American Federation of Labor."

OTHER AFL UNIONS REFUSE TO JOIN STRIKE

Larry Kelly, president of the A. F. of L. Chicago Editorial Association, and I. J. Braveman, president of the A. F. of L. Newspaper Commercial Associates of Chicago, joined with the other labor officials in declaring that their unions were in no way connected with the C. I. O. strike.

"Members of the Chicago Editorial Association of the A. F. of L. are not involved in any strike," Mr. Kelly said. "We will continue to perform our duties. We are not bound by any action taken by any C. I. O. organization."

Mr. Braveman declared: "We are organized under the banner of the American Federation of Labor and that's where we intend to remain. We are not involved in any alleged strike against the Hearst papers. That's all there is to it."

A. F. of L. Distillery Workers Conference Opens in Louisville

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tion before the bar of public opinion in this country.

"Its legal sanction in the future rests in no small degree upon the industry's willingness to inaugurate and maintain a progressive and outstanding labor relations policy.

"Nothing will do more to elevate the prestige and inspire the public's approval and endorsement of the industry than to embrace the principles and policies of collective bargaining enunciated by the American Federation of Labor.

"Outstanding executives within the industry, including Dr. Wesley A. Sturges, Executive Director of the Distilled Spirits Institute, will attend and address our conference.

"This meeting is indicative of the genuine interest of the American Federation of Labor in the distilling industry as well as its determination to exhaust every effort to elevate and preserve the industry upon a sound, moral and economic basis.

"There can be no doubt but what the decision made by the delegates at this conference will be practical, constructive and beneficial to the industry, the public as well as the thousands of workers employed in the distilleries of the Nation."

GORMAN CALLS TEXTILE WORKERS CONVENTION

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dered the U. T. W. funds returned to the U. T. W.

Rhode Island Decision Outlawed Gorman-Lewis Contract

The Rhode Island decision held that the constitution of the United Textile Workers of America contains a provision that the organization shall not be dissolved while there are nine dissenting unions; that on March 9, 1937, President Gorman and John L. Lewis, chairman of the Committee for Industrial Organization, signed a contract, the intent of which was to abolish the United Textile Workers of America and transfer its functions and membership to the Textile Workers Organizing Committee, an affiliate of the C. I. O.; that the local unions of the U. T. W. A., were given no opportunity to approve or disapprove this contract, and that, because it violated the constitution of the U. T. W. A., the contract "was invalid and ineffective and did not operate to bind the U. T. W. A. as an organization."

The court thereupon ordered the C. I. O. Textile Workers Organizing Committee to turn in an account to the court before December 31, 1938, of "all moneys collected and receipts from the membership of the local unions now or formerly of the U. T. W. A. collected by it or them from March 9, 1937, up to and including July 15, 1938, and to deposit any and all such funds now in its or their hands with the clerk of the Superior Court for the Counties of Providence and Bristol forthwith."

TWOC Held Eliminated

In commenting on the Rhode Island decision, Mr. Gorman said it "eliminated the Textile Workers Organizing Committee from the field. The TWOC was set up by the contract. The contract is invalid. Consequently its creature, the TWOC, ceases to exist. Manifestly there must be a basic change in the policy of the United Textile Workers in order to bring about a unified movement ending the confusion and dissatisfaction growing out of TWOC activities and its dissolution by court decision.

"I shall exercise all of the constitutional functions of the president's office, actively and energetically, in order to make possible the development of a constructive program and a united movement. Headquarters of the international, as directed by our last convention, will be in Washington and all unions are directed to henceforth deal only with the international union headquarters under my direction and administration."

Secretary Starr Is Notified

Mr. Gormen also announced that he had served notice on James Starr, secretary-treasurer of the United Textile Workers, New York City, to move all property of the international union in his possession from New York to Washington, D. C.

The United Textile Workers of America was one of the original members of the Committee for Industrial Organization established by John L. Lewis and his associates in 1935 shortly after the Atlantic City convention of the American Federation of Labor. The Textile Workers was among the C. I. O. unions suspended from the A. F. of L. by the Executive Council in August, 1936. The suspension was approved by the 1936 and 1937 conventions of the A. F. of L. Last Spring the United Textile Workers was among the C. I. O. unions whose charters were revoked by the A. F. of L. Executive Council, under authority granted by the A. F. of L. convention.

A. F. OF L. WIREMEN NOT ON POSTAL BALLOT

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fer, and the American Communications Association (CIO) will be solely responsible. Furthermore, A. C. A. is guilty of slow-down, a typical Communist technique.

"After the Wage-Hour law went into effect the company withdrew a plan for reorganization which had previously been submitted to a Federal Court in New York, for further study. It was found that it would require from $250,000 to $1,000,000 more annually to meet salary increases, if the company was to adhere to the provisions of this new law. Messengers were laid off to help cover the cost. The Federal Communications Commission was appealed to for a 15 per cent rate increase, which was denied. The Government was asked to increase its rate of payment from 40 per cent to 100 per cent, which request is still under consideration.

C. I. O. Union's Sabotage Assailed

"Even if these requests are granted, it is considered doubtful that the Postal Company could avoid what now seems the inevitable, liquidation of its business and the resultant unemployment of some 15,000 persons.

"These requests are serious ones and before being made much thought and deliberation was given them by the company, and, in addition to these problems, which were enough in themselves to practically throttle the life blood of the company, the A. C. A. deliberately increases the woes of the company by its system of sabotage.

Charges Labor Board Favoritism for C. I. O.

"The Telephone Company is in business unfairly with the telegraph companies through the use of teletypewriter service. The next session of Congress is expected to consider legislation to restrict the telephone companies to telephone business. Such legislation would undoubtedly release considerable business back to the telegraph companies. If the Postal Company were then nonexistent, it would place the Western Union in the position of having a monopoly, for which Western Union could give thanks to the National Labor Relations Board, with its pro-C. I. O. tendencies, and the A. C. A., with what appears to be a well regulated and oiled system of destruction.

"Within the past year the A. C. A. has turned its attention toward Western Union employes but has not found any sentiment there. At the present time we have several thousand of such employes organized and we hope to have many more in the very near future. We have reason to believe that the employes of Western Union will not be allergic to the poisonous venom dished out by A. C. A. or any of its kind."

Reason for Removing Telegraphers Name From Ballot

Patrick J. Taft, counsel for C. T. U., made the following statement:

"We asked that our name be removed from the ballot in the nation-wide poll among Postal employes, ordered by N.L.R.B., because we do not want to be a party to an action which will assist materially in the final destruction of the company. Until the board ordered the nation-wide election be held, we had been fighting for the employes of the company in 45 cities who had evidenced their desire to have C. T. U. represent them as sole bargaining agency by signed membership applications, which are now on file with the Board. It was more than a question of seeking members. We felt that we were in a position to help them, and the Postal Company."

AFL UNION LABEL IS NOW ON DRIED FRUIT AND NUTS

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& Nut Packers Union No. 21084 is represented by a diamond shaped marking enclosing the name and number of the union, with A. F. of L. in the center, and will appear on packages of dried prunes, peaches, apricots, pears, figs, nectarines and other dried fruits, apricot kernels, walnuts and other products.

The union, which is only slightly more than one year old, has already signed wage and hour agreements with 14 major packers operating 29 plants in Santa Clara and San Benito counties.

"This progress is remarkable and it should be realized by all members of organized labor that support of the union label of this organization will do much to encourage and strengthen the organization and prove to employers of union labor that a union label really means something," Vandeleur said.

Louisville Machinists Land Wage Raise Pact

Louisville, Ky. (AFLWNS).—Lodge No. 681 of the International Association of Machinists, affiliated with the American Federation of Labor, has negotiated a closed shop contract with the General Machine Company, of Louisville, providing for a wage increase of 12½ cents per hour, time and one-half for all time over 7 hours per day, double time for work after midnight, Sundays and holidays. Seniority and apprenticeship provisions were also secured.

It was pointed out that the provision for the 7-hour day, which is not usual in Louisville, is regarded as the outstanding achievement in the agreement, which was negotiated by Edward L. Mercker, business representative of Lodge 681.

LABOR BOARD RULE HITS A. F. OF L. AD. WRITERS

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eration of Labor, claimed to represent exclusively all employes in the classified and display advertisement writing departments of the Post-Intelligencer and insisted that their long and recognized existence as a distinct craft entitled them to the status of an "appropriate unit" for collective bargaining under the provisions of the National Labor Relations Act.

The Labor Board, however, gave no consideration to either the historical development or the long existence of classified and display advertisement writing as a distinct occupation and craft or to the reasonable interpretation of the Labor Act visioned by those responsible for its passage by Congress.

Instead, the Board ruled that classified and display advertisement writing falls within no "well-defined craft, but is diverse," and that the skilled workers engaged in this occupation form no group "distinct in employe interest."

The Board thereupon lumped the members of the A. F. of L. Classified and Display Advertising Writers and Workers Union No. 20721 into the plant unit of editorial, business department and outside telephone employes of the Post-Intelligencer to vote with this mass of employes as to whether they want to be represented by John L. Lewis's Seattle Newspaper Guild.

Middletown Building Trades Form Council

Middletown, Ohio (AFLWNS).—The charter for the newly organized Building Trades Council of Middletown was presented at a recent meeting here and officers elected. The officers were installed by Gus Miles, American Federation of Labor organizer.

The purpose of the council, which is affiliated with the Building and Construction Trades Department of the American Federation of Labor, is to bring about a higher standard on all construction work in Middletown.

LABOR BOARD CERTIFIES AFL WALL PAPER UNION

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that the unaffiliated Wall Paper Workers Union of Fox River Valley should be certified as the sole agency for all the production employes.

Mr. Smith took this position regardless of the fact that a majority of the color mixers and machine printers were members of the A. F. of L. affiliate and had expressed their desire to have that unit as their bargaining representative.

Although admitting that the skilled workers composing United Wall Paper Craftsmen and Workers of North America would probably be able to negotiate better hours, wages and work conditions as a separate craft unit than they could secure in the so-called "industrial" union, originally fathered by the notorious Industrial Workers of the World and later adopted by the C. I. O., Mr. Smith held that the skilled workers should be compulsorily merged with the unskilled workers in one big union scheme.

The other two members of the Labor Board refused to accept Mr. Smith's views and certified the A. F. of L. union as the bargaining agent of the color mixers and machine printers.

All Lansing Builders Sign Up With Unions

Lansing, Mich. (AFLWNS).—Practically all construction jobs in Lansing are operating on a union basis with the exception of a WPA water project, according to a report by Gus Eckout, secretary of the Building and Construction Trades Council, which has succeeded in getting every contracting firm in the city signed up as one hundred per cent union employers.

It was pointed out that the result of the union shop agreements includes a high standard of wages with competent craftsmen employed and stabilized friendly relations between contractors flowing from the elimination of cut-throat competition.

INDUSTRY MUST EMPLOY JOBLESS, SAYS DILLON

Favors Conference Method Instead of Strikes to Adjust Disputes Between Employers and Workers.

By A. F. of L. Weekly News Service.

Springfield, Ohio.—"The most important problem facing the country today is unemployment," Francis J. Dillon, Toledo representative of the American Federation of Labor, declared in an address on "What Capital and Employers Can Expect From Labor," delivered at a luncheon meeting of the Kiwanis Club here.

Mr. Dillon, who was a former resident of Springfield, stressed the point that the creation of jobs by private employers is the best method for aiding the jobless. "Work relief, in whatever form, must be abolished as quickly as possible, and work in private industry substituted for the present Federal agencies," he said, adding:

"To accomplish this desirable result, it will be necessary to reduce the present hours of labor in order that more men can be placed in employment. Immediately following his election, I wrote to Governor-elect Bricker suggesting that he call a conference of employers and employes to discuss this most important question, and I have received his reply inviting me to Columbus to consider the proposal further.

"The American Federation of Labor is opposed to strikes, to sabotage and to any other form of violent action in labor disputes. We favor a conference between both parties in any labor dispute, and unless the conference table is permanently substituted for the strike and violent action, this country is headed definitely toward chaos and totalitarian government."

CLEANING—DYEING LABOR TO GET MINIMUM WAGES

By A. F. of L. Weekly News Service.

Approximately 6,800 women and minors employed in the cleaning and dyeing industry of New York State will undoubtedly receive higher wages when the nine-member wage board for the industry appointed by Frieda S. Miller, Industrial Commissioner, completes its investigation.

The board, composed of three members representing the employes, three the employers and three the public, is required to recommend minimum wage rates for women and minors employed by cleaners and dyers. Pauline Newman, a member of the Women's Trade Union League and former member of the minimum wage board for the laundry industry, is one of the three worker members of the board.

The minimum wage order issued by Industrial Commissioner Miller on the recommendation of the board will have the effect of statute law, violation of which is punishable, with less-than-minimum wages paid by any employer subject to collection by court procedure.

The minimum wage board for the cleaning and dyeing industry is the fourth board of this type appointed by the New York Industrial Commissioner since the new minimum wage law became effective in 1937, following the decision of the United States Supreme Court affirming the constitutionality of the District of Columbia minimum wage law, thus overruling a former Supreme Court decision that the District of Columbia law was unconstitutional.

The Supreme Court decision paved the way for the enactment of a new minimum wage law for women workers in New York, the former law on this subject having been previously held unconstitutional on the basis of the first Supreme Court decision that the original District of Columbia law was unconstitutional.

AFL LONGSHOREMEN WIN NEW ORLEANS ELECTION

New Victory Follows Former Ballots In Which Employes of 36 Waterfront Concerns Voted for International Longshoremen's Association and Against the C. I. O. Secessionists.

By A. F. of L. Weekly News Service.

New Orleans, La.—The International Longshoremen's Association, affiliated with the American Federation of Labor, won another decisive victory in the runoff election, conducted by the National Labor Relations Board, for collective bargaining representative for employes of the Oceanic Stevedoring Company here. The vote was 47 for the I. L. A. to 11 for the International Longshoremen's & Warehousemen's Union, C. I. O. affiliate, dominated by Harry Bridges.

A number of weeks ago in an NLRB election the International Longshoremen's Association was selected as bargaining agent by the longshoremen employed by nineteen shipping and stevedoring firms in New Orleans. At the same time, the clerks and checkers employed by fifteen companies and banana handlers employed by two companies also selected the A. F. of L. affiliate as their bargaining agent.

The Oceanic Stevedoring Company runoff election victory tightened the control exercised by the I. L. A. over the New Orleans waterfront situation.

NEWSPAPER TEAMSTERS FAVOR A. F. OF L. UNION

Seattle, Wash. (AFLWNS).—The International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, Local No. 763, has been certified by the National Labor Relations Board as the sole bargaining agency for the employes in the outside circulation unit of the Seattle Post-Intelligencer Department of Hearst Publications.

The certification was based upon a comparison of the union membership lists with company pay rolls which revealed that 104 of the 128 workers in the unit had designated the Teamsters Local as their bargaining agent.

A. F. OF L. FIREMEN WIN TWO RAILROAD BALLOTS

Washington, D. C. (AFLWNS).—The National Mediation Board certified the International Brotherhood of Firemen and Oilers, Helpers, Roundhouse and Railway Shop Laborers, operating through the Railroad Employes Department of the American Federation of Labor, to represent power house employes and railway shop laborers, employes of the Pittsburgh and Lake Erie Railroad Company and Lake Erie and Eastern Railroad Company, for the purposes of the Railway Labor Act.

The certification was made as the result of an election held under the auspices of the National Mediation Board in which 118 employes voted for the Brotherhood of Firemen and Oilers against 50 for a group not affiliated with the A. F. of L.

Supreme Court Overrules Labor Board in Sit-Down Strike Case

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mand for an agreement with the C. I. O. union and the company agreed to allow a representative of the C. I. O. union to go aboard the ships and solicit membership from among the members of the A. F. of L. union which had an agreement with the company.

When the two ships resumed their regular sailing the strikers continued their threats against other members of the crew. The record also discloses that there were threats of sabotage and destruction of machinery.

Under these conditions the company decided to tie up the ships. All members of the crew were paid off at the end of their respective sailings. All sailings were cancelled indefinitely and the ships papers were surrendered.

AFL Union Provides New Crews

At this point the A. F. of L. union, under its contract, demanded the right to supply new crews. The crews were supplied and after some delay the company decided that it could safely sail the ships with the A. F. of L. crews and send its passengers on the high seas. The ships resumed their sailings and have since been operated safely and on schedule.

The C. I. O. union filed a complaint with the National Labor Relations Board that the crews of the two ships had been discharged discriminatively because of their affiliation with the C. I. O. union.

Following a hearing before a trial examiner the National Labor Relations Board took the case into its own hands and entered an order requiring the Peninsular and Occidental Steamship Company to reinstate the sit-down strikers and give them back pay amounting to more than $100,000. In addition, the Board ordered the back pay increased at the rate of $350 a day, so that now it would aggregate almost $200,000.

Circuit Court of Appeals's Decision

The Circuit Court of Appeals for the Fifth Circuit at New Orleans, set aside the National Labor Relations Board's entire order.

The unanimous opinion, delivered by Judge Rufus E. Foster, which the Supreme Court of the United States refused to review, pointed out that the National Labor Relations Board "declined to give effect to the existing contract" between the steamship company and the A. F. of L. union "on the ground that a majority of the crews" belonged to the C. I. O. union, and the "company had made no effort to ascertain the proper bargaining agency before the contract was made." Declaring that "this overlooks the fact that at the time the contract was originally entered into" the C. I. O. union "was not in existence and the company had asked the Board to designate the proper bargaining agency at the beginning of the trouble," the Circuit Court of Appeals decision continued:

"The board declined to give effect to the existing contract between the company and the International Seamen's union, on the ground that a majority of the crews belonged to the National Maritime union, and the company had made no effort to ascertain the proper bargaining agency before the contract was made. This overlooks the fact that at the time the contract originally was entered into the National Maritime union was not in existence and the company had asked the board to designate the proper bargaining agency at the beginning of the trouble.

"The owners of the vessels, their masters, and other officers are required to exercise the highest degree of care and skill for the preservation of passengers and crews and to safely transport the cargo.

Duty Overshadows All Else

"This duty is superior to all other considerations in the operation of ships. Implicit obedience to the lawful orders of the master is required on a vessel. Without that, there would be no safety.

"Engaging in sit-down strikes in defiance of their officers was at least prima facie evidence that the crews were guilty of mutiny. . . . It would be difficult to imagine any greater grounds of incompetency than disobedience of the lawful orders of the master and the possibility of mutiny. It would be gross negligence for a vessel to put to sea with that kind of crew.

"It is the duty of the board to decide the case before it on all the evidence. It is not at liberty to rely upon part of the evidence in support of its findings and put aside all other undisputed evidence."

BREWERY WORKERS UNION GAINS THREE NEW PACTS

Cincinnati, Ohio (AFLWNS).—Officials of the International Union of the United Brewery, Flour, Cereal and Soft Drink Workers of America, affiliated with the American Federation of Labor, announced the negotiation of three new agreements.

In Detroit, Mich., Local Union No. 51 negotiated an agreement with the Genesee Ale and Distributing Company, which had been on the unfair list of the Detroit and Wayne County Federation of Labor since June 2, 1938.

The Joint Local Executive Board finalized a contract with the West Masontown Brewing Company, of Masontown, Pa.

In Los Angeles, Calif., officials of Branch No. 4 of Local Union No. 7, signed a new contract with the New Miller Malting Company, calling for improved wages and working conditions.

GUARANTEED WORK PACT WON BY RETAIL CLERKS

By A. F. of L. Weekly News Service.

Akron, Ohio.—Local No. 860 of the Retail Clerks International Protective Association, affiliated with the American Federation of Labor, has negotiated an agreement with Carlton's clothing store guaranteeing 52 weeks of work annually at a fixed salary plus commission for the salesmen employed by the firm.

In addition to a regular weekly salary, it was said, the salesmen will receive a liberal commission. The agreement also calls for one week's vacation with pay annually, with a second week without pay optional.

Union officials declared this was one of the first agreements in Akron to provide guaranteed employment for the entire year.

Elgin Teamsters Win Wage Raise Contract

Elgin, Ill. (AFLWNS).—Local No. 330, International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, affiliated with the American Federation of Labor, negotiated an agreement with the Ward Baking Company providing wage increases ranging from $4 to $7.50 per week in the Elgin district. The agreement, covering five drivers, was signed by the Chicago officials of the company.

Howard Floyd, business agent of the union, said that drivers for the Grennen Baking Company and the Schultz Baking Company, both of whom have one driver in Elgin, are operating under union conditions with union agreements pending.

Union Wins Back Pay For Hotel Employes

Washington, D. C. (AFLWNS).—A striking illustration of the benefits which working men and women secure from membership in A. F. of L. unions came to light here in the success of the Hotel Service Workers Union in obtaining reinstatement and $290 back pay for two union members employed by the Raleigh Hotel.

Last Summer the hotel management laid off a maid and a doorman because of lack of work, but when business picked up in the Fall the management failed to re-employ them.

The union protested this action, with the result that the hotel management agreed to pay the maid $200 for lost time and the doorman $90. In addition, both the employes were reinstated.

INDIANAPOLIS STRIKE WON BY UPHOLSTERERS

By A. F. of L. Weekly News Service.

Indianapolis, Ind.—Following a strike lasting ten weeks, Local No. 24 of the Upholsterers International Union of North America, affiliated with the American Federation of Labor, negotiated an agreement with the John J. Madden Manufacturing Company here, providing for an 8-hour day, 5-day week, time and a half for overtime, double time for Sundays and holidays, increase in piece-work wage scale, seniority rights, equal distribution of work as to quality and quantity, and sole bargaining rights for the union.

Gene Smith, business agent of the local, said that 46 union members returned to work following the signing of the contract.

CLEVELAND STRIKE WON BY AFL TRUCK DRIVERS

Ten Cents Per Hour Wage Increase Obtained From Four Companies After Two-Day Walkout.

By A. F. of L. Weekly News Service.

Cleveland, Ohio.—A militant two-day strike called by City and County Truck Drivers Local No. 244, A. F. of L. affiliate, against four waste paper concerns, resulted in an agreement carrying a wage increase of 10 cents an hour for drivers employed by the companies.

Under the old agreement the drivers were paid 50 cents an hour. They asked for an increase to 75 cents, but compromised on 60 cents. The wage increase was the only matter in dispute pending the negotiations for the new agreement.

The companies involved in the strike were: Winters Paper Stock Company, Cleveland Waste Paper Company, Albert Silberman & Company, and Kaplan & Kaplan Company.

FIREMEN WIN PAY RAISE FOR SCHOOL CUSTODIANS

Cleveland, Ohio (AFLWNS).—Following negotiations lasting six months, Local No. 52 of the International Brotherhood of Firemen and Oilers, affiliated with the American Federation of Labor, succeeded in having the Cleveland School Board adopt a resolution awarding wage restorations of $288 a year each for 161 assistant school custodians employed by the Board. The order became effective December 1.

It was reported that the final adoption of the restored-pay order was largely due to the influence of Thomas J. Martin, president of the School Board and leader of the Board's labor bloc.

Roy Seitz, business agent of the union, said that as a result of the wage restoration the 161 assistant custodians will receive $144 a month, instead of $125.

SAFEWAY STORES SIGN RETAIL CLERKS' PACT

By A. F. of L. Weekly News Service.

Santa Ana, Calif.—Local No. 1137 of the Retail Clerks International Protective Association have negotiated an agreement with the Safeway Stores operating in Orange County, of which Santa Ana is the County Seat, covering about 40 employes.

The agreement is in accordance with the state-wide pact recently entered into between the Retail Clerks Association and the general management of the Safeway Stores.

E. D. Maurice, financial secretary of the Retail Clerks local, said the definite defeat of the anti-labor Initiative Proposition No. 1 at the recent election has resulted in a noticeable surge of interest on the part of employes to join the union, and also a very perceptible cordiality toward unionization on the part of employers.

Cement Workers Jobless Get Christmas Baskets

La Salle, Ill. (AFLWNS).—Local 20066, United Cement Workers, affiliated with the American Federation of Labor, in accordance with its policy established several years ago, has arranged to distribute Christmas baskets this year to its members who are unemployed during the holiday season.

In addition to chicken and all its trimmings, each basket will include bread, milk, coffee, sugar, cranberries, sweet and white potatoes, oranges, apples, butter, lettuce, celery, fruit-filled candy, and an appropriate Christmas gift.

New Orleans Musicians Sign Up Radio Station

New Orleans, La. (AFLWNS).—Local No. 174 of the American Federation of Musicians, an A. F. of L. affiliate, has signed an agreement with Station WDSU here providing for the employment of union musicians exclusively. Joachim Pipitone, president of the local, says the contract runs until January, 1940.